

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Lifeline and Link Up Reform and	)	WC Docket No. 11-42
Modernization	)	
	)	
Lifeline and Link Up	)	WC Docket No. 03-109
	)	
Federal-State Joint Board on Universal	)	CC Docket No. 96-45
Service	)	
	)	
Advancing Broadband Availability	)	WC Docket No. 12-23
Through Digital Literacy Training	)	

**COMMENTS OF THE COLORADO TELECOMMUNICATIONS ASSOCIATION IN  
SUPPORT OF THE PETITION FOR WAIVER OF THE  
COLORADO PUBLIC UTILITIES COMMISSION**

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The Colorado Telecommunications Association ("CTA") represents 24 rural local exchange carriers ("RLECs") providing regulated telecommunications services in the state of Colorado. Each of those companies has an interest in the appropriate and lawful administration of the Federal Lifeline and Linkup program and the Colorado Low Income Telephone Assistance Program ("LITAP"), and in compliance with each program's requirements.

On February 6, 2012 this Commission released its Lifeline and Link Up Reform and Modernization Report and Order and Further Notice of Proposed Rulemaking ("Order") in this docket in which it adopted uniform eligibility criteria for the Federal program that requires all states to, at a minimum, utilize the income program criteria currently utilized by the federal default states. The effective implementation date of the Order is June 1, 2012.

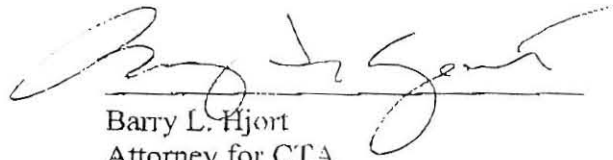
On April 6, 2012 the Colorado Public Utilities Commission ("COPUC") filed its Petition for Waiver of the implementation date specified in the Order. The COPUC petition noted that a

waiver is necessary because legislation will be required to change existing Colorado law to conform to the requirements of the Report and Order. It further noted that there are differences between the existing state law eligibility criteria for the Colorado LITAP program and those specified in the Order as the going forward requirements of the Lifeline and Link Up program. Finally, it indicated that given the timing of the conclusion of the Colorado General Assembly's annual session in early May and the need for consideration by the state legislature of changes to state law, as well as the need for consideration of the policy implications of such a change – that additional time will be required for state legislative consideration of the required changes to state law.

CTA's membership is supportive of both the federal and the state programs for the provision of local exchange service to eligible consumers. But the Association's members must have a clear understanding of the program eligibility of such consumers in order to comply with both the state law and federal law requirements. In light of the current conflict of laws relating to eligibility for program benefits as described in the COPUC petition, there is confusion as to the standards that ought to be utilized, and uncertainty in the Colorado RLEC community as to how to properly treat existing as well as new applicants for the program benefits of the respective state and federal programs. There is also concern as to the appropriate steps to take to ensure compliance with both the federal and state eligibility criteria. This uncertainty can only be resolved by a change in state law – which cannot be accomplished until the Colorado General Assembly reconvenes in January of 2013.

For these reasons, CTA strongly supports this Commission granting the waiver requested by the COPUC petition.

Respectfully submitted this 15th day of May, 2012.



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